



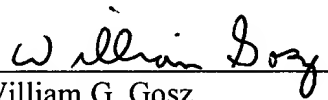
Docket No. CFBF-P01-021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy A. Springer et al. Examiner: Maher M Haddad
Serial No.: 09/945,265 Art Unit: 1644
Filing Date: August 31, 2001
For: MODIFIED POLYPEPTIDES STABILIZED IN A DESIRED
CONFORMATION AND METHODS FOR PRODUCING SAME

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Mail Stop AF, Commissioner for Patents, Box 1450, Alexandria, VA on May 31, 2006.


William G. Gosz

DECLARATION II UNDER RULE '132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Motomu Shimaoka, MD, PH.D, hereby declare and state as follows:

1. I am a research scientist at The CBR Institute for Biomedical Research, and I am a co-inventor and an applicant of the above-identified patent application. My curriculum vitae is on file in this application.

2. I have read the Office Action of February 14, 2006, mailed by the US Patent and Trademark Office in this application ("Office Action"). I understand that paragraph 3 of the Office Action raises certain questions regarding the numbering system used for

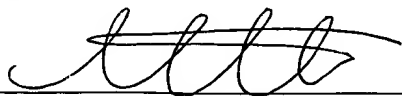
numbering the mutants set forth in Table 9 of the above-identified application, specifically in comparison to the numbering of the amino acids in SEQ ID NO:2 and SEQ ID NO:4.

3. In my prior Declaration filed in this application on January 20, 2006, I explained that the precursor sequence for the α L protein is actually 25 amino acids longer than the amino acid sequence for the mature protein, the additional amino acids being at the beginning of the protein. Accordingly, while the amino acid numbering for the precursor α L protein (SEQ ID NO: 2) is correct, the numbering system used for the mutants is actually based on the mature protein. Therefore, the corresponding amino acid numbers for mutations based on SEQ ID NO:2 can be calculated by adding "25" to the amino acids numbers used for the mutations in Table 9 of the application; i.e. "K287C/K294C" becomes "K312C/K319C", and so on.

4. Similarly, I can state that the precursor sequence for the α M protein (SEQ ID NO:4) is actually 16 amino acids longer than the amino acid sequence for the corresponding mature protein, these additional amino acids also occurring at the beginning of the protein. Accordingly, the corresponding amino acid numbers for mutations based on SEQ ID NO:4 can be calculated by adding "16" to the amino acid numbers used for the mutations in Table 9, i.e. "Q163C/Q309C" becomes "Q179C/Q325", and so on.

5. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

Date: 5/23/06



Motomu Shimaoka